

INITIAL STATEMENT OF REASONS:

The California Department of Corrections (CDC) proposes to amend Subsection 3276(e) of the California Code of Regulations (CCR), Title 15 to allow the Department to exempt Community Correctional Facilities (CCFs) from the armory armed post coverage requirement, provided they are under some form of a 24-hour-a-day observation and equipped with alarms.

Currently, CCFs are required to store lethal, and less lethal weapons, near, or at the site, for emergency reasons, such as escapes, riots, medical transports, etc. However, the physical plant design and Department staffing of the CCFs does not allow for the 24-hour-a-day armed coverage of the armory as mandated by CCR regulations. Additionally, within the privately operated CCFs, contracted staff are not peace officers and therefore, are not permitted by state law to maintain an armed post. Due to these constraints, the CCFs are currently out of regulatory compliance and are potentially placing the staff and local residents in and around these sites in danger.

These proposed amendments will bring the Department into regulatory compliance by requiring the constant supervision of each CCF armory be provided, either directly by staff observation or video surveillance, and that each armory be equipped with an audible electronic alarm. More importantly, it would halt jeopardizing the safety of the CCF's facility's, staff, inmates, and/or the public in general.

Subsections 3276(a) through (d) remain unchanged.

Subsection 3276(e) is amended to add language to exempt CCF armories from the armed post coverage requirement provided they are under some kind of 24-hour-a-day observation and equipped with alarms. This Section is also amended to remove the long-term storage requirement of CCF armories off grounds if they do not meet the armed post coverage requirement, provided they are properly equipped.

Subsections 3276(f) through (i) remained unchanged.